

## EXHIBIT 5

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OCT 18 2013

Scott G. Weber, Clerk, Clark Co.

**Superior Court of Washington  
County of CLARK**

**In re the Marriage of:**

ILIA ZAVIALOV

and

ANASTASIA POPOVA

**Respondent.**

13-3-02205-0

No.

**Petition for Dissolution  
of Marriage  
(PTDSS)**

## I. Basis

## 1.1 Identification of Petitioner

ILIA ZAVIALOV, Birth date JUNE 12, 1979

Last known residence is CLARK County, WA.

## 1.2 Identification of Respondent

ANASTASIA POPOVA, Birth date 10/17/1975

Last known residence Clark County, Washington but temporarily living in Los Angeles County, California.

### 1.3 Children of the Marriage Dependent Upon Either or Both Spouses

The petitioner and respondent are both the legal parents of the following dependent child:

ANDRE E. ZAVIALOV Age 21

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WPF DR 01.0100 Mandatory (12/2012) - RCW 26.09.020

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1           **1.4   Allegation Regarding Marriage**

2           This marriage is irretrievably broken.

3           **1.5   Date and Place of Marriage**

4           The parties were married on May 1, 2003 at Manassas, VA.

5           **1.6   Separation**

6           Petitioner and respondent separated on or about August 26, 2013 when the parties  
7           physically separated with the intention of dissolving their marriage.

8           **1.7   Jurisdiction**

9           This court has jurisdiction over the marriage.

10          This court has jurisdiction over the respondent because:

11          The respondent is currently residing in Washington, though temporarily residing in  
12           Los Angeles County California.

13          The petitioner and respondent lived in Washington during their marriage and the  
14           petitioner continues to reside in the marital residence in Clark County Washington

15          The petitioner and respondent may have conceived a child while within  
16           Washington.

17           **1.8   Property**

18          There is community or separate property owned by the parties. The court should make a  
19           fair and equitable division of all the property at a later date.

20           **1.9   Debts and Liabilities**

21          The parties have debts and liabilities. The court should make a fair and equitable division  
22           of all debts and liabilities at a later date.

23           **1.10   Maintenance**

24          Maintenance should not be ordered.

25           **1.11   Continuing Restraining Order**

                Does not apply.

1           **1.12 Protection Order**

2           Does not apply.

3           **1.13 Pregnancy**

4           Neither spouse is pregnant.

5           **1.14 Jurisdiction Over the Children**

6           This state is the home state of the child because:

7           The child lived in Washington with a parent or a person acting as a parent for at  
8           least six consecutive months immediately preceding the commencement of this  
9           proceeding.

10           Any absences from Washington have been only temporary.

11           Washington was the home state of the child within six months before the  
12           commencement of this proceeding and the child is absent from the state but a  
13           parent or person acting as a parent continued to live in this state.

14           **1.15 Child Support and Parenting Plan for Dependent Children**

15           A parenting plan and an order of child support pursuant to the Washington State child  
16           support statutes should be entered for the following child who are dependent upon both  
17           parties.

18           **Names of Children**

19           ANDRE E. ZAVIALOV

20           The petitioner's proposed parenting plan for the child listed above will be filed and served  
21           at a later date pursuant to RCW 26.09.181.

22           During the last five years, the child has resided in no place other than the State of  
23           Washington and with no person other than the petitioner or the respondent.

24           However, the child has lived temporarily in California for over a year with one or  
25           both parents and is there at this time with his mother. The child has lived  
26           California temporarily due to a medical condition. It has always been the intention  
27           of one or both parties to return to the child's home state of Washington.

28           **Claims to custody or visitation:**

29           The petitioner does not know of any person other than the respondent who has  
30           physical custody of, or claims to have custody or visitation rights to, the child.

1 Involvement in any other proceeding concerning the child:

2 The petitioner has not been involved in any other proceeding regarding the child  
3 except on September 6, 2013, mother filed a Petition for Dissolution of Marriage in  
4 Los Angeles County, California under cause number BD588375.

5 Other legal proceedings concerning the child:

6 The petitioner knows of the following legal proceedings that concern the child

7 Petition for Dissolution of Marriage filed in Los Angeles County, California  
under cause number BD588375, filed on or about September 6, 2013.

8 **1.16 Other**

9 Does not apply.

10 **II. Relief Requested**

11 The petitioner **requests** the Court to enter a decree of dissolution and to grant the relief below.

12 Approve the petitioner's proposed parenting plan for the dependent child listed in  
13 paragraph 1.15.

14 Determine support for the dependent child listed in paragraph 1.15 pursuant to the  
Washington State child support statutes.

15 Divide the property and liabilities.

16 Award the tax exemptions for the dependent child listed in paragraph 1.14 as follows: to  
father.

18 ////

19 ////

21 ////

22 ////

24 ////

1  
2 Order payment of reasonable attorney fees, other professional fees and costs in favor of  
3 father.

4  
5 Dated: October 18, 2013

13762

6 Howard Marshack  
7 Attorney for Petitioner / WSBA No.

8 I declare under penalty of perjury under the laws of the State of Washington that the foregoing is  
9 true and correct.

10 Signed at Vancouver, Washington, on October 17, 2013.

11 Ilia N. Zavialov  
12 ILIA ZAVIALOV, Petitioner